



FROM RESTRICTION TO REDEMPTION: The Female Trajectory in the Electoral Process

FERNANDO VINICIUS SOUZA RODRIGUES¹

SUMMARY:

The history of women in politics is marked by the constant struggle against discrimination, violence and exclusion. Since the conquest of the right to vote in 1932 (and its constitutionalization in 1934) until their current underrepresentation, women have faced enormous challenges to fully exercise their political rights. This article explores the historical processes of female participation in politics and electoral processes, highlighting how the sexist structure has kept them away from these spaces, creating a scenario of hostility and resistance. However, we also address the advances achieved in this process, resulting from the persistent struggle of women for rights and representation. In this sense, the Superior Electoral Court (TSE) has emerged as an important active agent in promoting a more egalitarian and representative political environment, implementing measures not only to bring women closer together, but also to enable and ensure their presence in these spaces. We will therefore analyze the advances and challenges surrounding female participation in politics, as well as the TSE's participation in this process.

Keywords: Spaces of power; Female achievement; Women in politics; Democracy.

ABSTRACT:

The history of women in politics is marked by a constant struggle against discrimination, violence, and exclusion. From the achievement of suffrage in 1932 (and its constitutionalization in 1934) to their current underrepresentation, women have faced enormous challenges in fully exercising their political rights. This article explores the historical processes of female participation in politics and electoral processes, highlighting how the patriarchal structure has distanced them from these spaces, creating an environment of hostility and resistance. However, we also address the progress made in this process, which is the result of women's persistent fight for rights and representation. In this context, the Superior Electoral Court (TSE) emerges as an important active agent in promoting a more equal and representative political environment, implementing measures not only to bring women closer but also to enable and ensure their presence in these spaces. Therefore, we will analyze the progress and challenges surrounding female participation in politics, as well as the TSE's role in this process.

Keywords: Power spaces; Women's achievements; Women in politics; Democracy.

1. INTRODUCTION

Throughout history, women's lives have been marked by challenges, barriers and resistance that encompass various areas of society, including access to education, presence in the job market and even the achievement and exercise of their civil rights. This reality becomes even more evident when we analyze specifically the political sphere, a space historically denied to the female population, which, through institutional tools or otherwise, has been excluded from decision-making processes and the conduct of public affairs. In Brazil, there is a recognized delay in relation to policies aimed at women's rights, which has interfered and directly interferes with the participation of this population in the political sphere, leading to a reality of underrepresentation.

The achievement of the right to vote was an important milestone in women's struggle for political and social equality, and was only made effective on February 24, 1932 through Brazil's first Electoral Code, promulgated by then President Getúlio Vargas. Two years later, the law was established with stature constitutional with the second Magna Carta of the Republic, guaranteeing compulsory voting to all adult women who carried out paid work. It is necessary to highlight that this achievement was the result of a long process of demands and struggle by women who, strongly influenced by the growth of international feminist movements, began to mobilize since the end of the 19th century, reaching its peak in the 1920s with organizations such as the Brazilian Federation for Feminine Progress, which

¹ Federal Civil Servant at the Regional Electoral Court of Mato Grosso (TRE-MT), current Chief of the Registry Office of the 31st Zone Electoral in Canarana-MT. Graduated in Accounting Sciences from the Federal Rural University of Rio de Janeiro (UFRRJ), with a postgraduate degree in Public Management from the Federal Institute of Mato Grosso (IFMT) and in Electoral Law from the Pontifical Catholic University of Minas Gerais (PUC Minas). E-mail: fernando.rodrigues@tre-mt.jus.br .

boosted and expanded the suffragette movement in Brazil. As June E. Hemer (2004) states, these women faced a strongly patriarchal society, where the idea of women participating in public life was widely rejected, evidencing the deep prejudice and resistance that marked this historical period.

According to Sobral and Ribeiro (2022), the simple demand and questioning of women's presence in political decisions was met with widespread resistance from men, who dominated and controlled these spaces. The suffragettes were victims of several smear campaigns, being ridiculed and embarrassed by the press and in social circles. Such hostility was due to the patriarchal structure rooted in society, so that women were seen as second-class citizens, with inferior intellectual capacities and limited potential for domestic functions. In addition, there was a widespread fear of women entering public life and how this would affect the traditional concept of family, threatening the role of men and even their jobs.

However, it is wrong to conclude that this rejection ended with the conquest of the female vote. On the contrary, women continued to be excluded and removed from positions of power, representing a minimal portion of political positions and being constant victims of political gender violence, an effective tool of the patriarchy to silence female voices in public debate. Despite this, for the sake of the evolution of democracy, the presence of women was not completely eradicated from politics, as a result of resistance and the struggle for representation that, despite the slow pace, led to important advances over the years. In 1934, Carlota Pereira de Queirós was elected the first female federal deputy, and more than forty years later, in 1979, Eunice Michiles became the first female senator. Redemocratization in Brazil also represented an advance in female representation, with the creation of the National Council for Women's Rights in 1985 and the insertion of specific clauses on gender equality in the 1988 Constitution. Despite this, the Constituent Assembly itself exposed the profound underrepresentation of women: of the 559 constituent deputies, only 26 were women, representing only 5% of the total, despite being the majority of the Brazilian population. As Carvalho (2021) points out, redemocratization was a crucial moment for the institutionalization of feminist struggles, but it was still insufficient to overcome the structural barriers that limit women's political participation.

As Loturco (2024) points out, women's trajectory in the Brazilian electoral process is marked by a continuous fight against discrimination and the affirmation of their rights. Since the conquest of the right to vote in 1932 to the recent legislation that aims to guarantee and encourage women's presence in politics, there have been significant advances. However, patriarchy and structural machismo still impose great obstacles to the full participation of women in spaces of power. In this context, the actions of the Superior Electoral Court (TSE) become essential to promote diversity and representation, aiming at true gender equality. Throughout this study, we will explore the persistent underrepresentation of women in politics and the measures that the TSE has implemented to transform this reality.

2. DEVELOPMENT

2.1 Trajectory and Legislative Advances in Female Participation in Politics

The first affirmative action policy to balance the historical gender gap in politics was implemented through Law No. 9,504 of September 30, 1997, establishing the requirement that each party fill at least 30% and at most 70% of its candidacies with people of each sex. In this way, the measure ensured a minimum participation of women in the electoral contest, an action of extreme importance for the direct inclusion and representation of women in positions of power. It is important to understand that the minimum percentage of 30% will be calculated based on the number of candidacies actually registered, and not over the total that the law indicates is possible. Therefore, if the party launches fewer candidates than allowed, legally held and claim that, therefore, it did not reach the minimum required by law, intending to complete with the majority gender, the process will be returned so that the party can adjust the legal percentages, under penalty of rejection of the DRAP (art. 17, § 6, of Res. TSE No. 23,609/2019, included by Res. TSE No. 23,675/2021). According to Edson de Resende Castro:

“The mandatory minimum percentage, given the difficulty parties have in obtaining female candidates, has led to the phenomenon of fictitious candidates,” whereby party leaders include some names on the list just to meet the legal requirement. In the examination of the

documentation for registration, it is clear that there is no authorization from the “candidate” and even authorization with a false signature, revealing – in both cases – the practice of the crime of electoral ideological falsehood (art. 350, of the CE), as it is stated to the Electoral Court that a candidacy that does not actually exist.” (CASTRO, 2024, p. 163-164)

It often happens that the calculation results in a fraction. In this case, the law already provides for the applicable solution: when the calculation of the minimum percentage results in a fraction, regardless of its value, it is always rounded up. Conversely, when the calculation of the maximum percentage (70%) is performed, it is invariably rounded down, so as not to undermine the rule that ensures the minimum legal gender participation. This measure aims to ensure that gender underrepresentation is not perpetuated by the mathematical interpretation of the percentages, ensuring a more robust minimum presence of women in the candidacies.

Although debates about women's presence in politics increased significantly from the 2000s onwards, leading to a gradual increase in their representation and even the election of the first female president, underrepresentation and resistance remained significant. There were a lack of tools to promote this presence, in addition to the absence of guarantees that women's participation would be fully exercised. Throughout the century, the TSE increased its attention to this field, resulting in new regulations regarding women's representation in politics. In 2021, a historic milestone was reached in this movement. Violence and harassment against female candidates and office holders were finally recognized as crimes in the Electoral Code - Law No. 4,737, of July 15, 1965 - with severe penalties of imprisonment of 1 to 4 years and a fine. This legislation represented a decisive step in guaranteeing the dignity, honor, and safety of women, establishing robust legal protection against acts of discrimination and gender-based violence. As Santos and Santos (2021) comment, the inclusion of political gender violence in the Electoral Code not only protects women, but also strengthens democracy by ensuring that all voices can be heard and respected.

Art. 326-B. Harassing, embarrassing, humiliating, pursuing or threatening candidates or office holders, using contempt or discrimination, is subject to imprisonment and a fine.

Penalty – imprisonment, from 1 (one) to 4 (four) years, and a fine.

Sole paragraph. The penalty is increased by 1/3 (one third) if the crime is committed against a woman: I – pregnant;

II – over 60 (sixty) years old; III

– with disabilities.

The classification of these crimes in the Electoral Code is significant because it formally recognizes political gender-based violence, reflecting an institutional commitment to gender equality in spheres of power. This measure not only punishes offenders, but also serves as an important deterrent against discriminatory practices.

In the same year, legislation was improved to combat criminal political propaganda that demeans or discriminates against women on the basis of their sex, color, race or ethnicity. This is provided for in article 243 of the Electoral Code, which prohibits any form of propaganda that demeans the status of women or encourages discrimination.

Art. 243. Political propaganda is prohibited:

X – that depreciates the status of women or encourages discrimination.

The inclusion of this provision is crucial to ensure that the electoral campaign takes place in an environment of respect and equality, free from hate speech and prejudice. By prohibiting such practices, the law seeks to create a more inclusive and representative electoral scenario.

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In 2019, Law No. 9,096 of September 19, 1995 (Law on Political Parties) was strengthened, requiring that statutes include strict rules for the prevention, repression and combating of political violence against women. In addition, at least 5% of party fund resources must be allocated to programs that promote women's political participation, according to article 44 of the same law.

Art. 44. Resources from the Party Fund will be applied: V – in the creation and maintenance of programs to promote and disseminate women's political participation.

This allocation of resources is essential to finance initiatives that encourage participation.

female, offering logistical and financial support to women's candidacies, and contributing to the construction of a more equitable political environment.

Strengthening women's presence in politics is also guaranteed by free party propaganda between 7:30 pm and 10 pm, which must allocate a minimum of 30% of the time to promoting and disseminating female participation, in accordance with law no. 9,096/1995.

Art. 50-B. The party may disseminate free party propaganda to promote the participation of women, young people and black people, dedicating at least 30% of the time to women.

By setting aside a significant portion of advertising time to promote female participation, the law seeks to increase the visibility of women's candidacies, contributing to the normalization of their presence in political spaces and encouraging other women to get involved in politics.

Constitutional Amendment No. 111/2021 further encourages this inclusion by doubling the votes given to female candidates or black candidates, multiplying their voice and presence within spheres of power.

Art. 2º Votes given to female candidates or black candidates will be counted twice for the purposes of distributing resources from the Party Fund and the FEFC.

This amendment represents a powerful incentive for political parties to invest in female and black candidates, recognizing and valuing diversity as a fundamental element for democracy.

Despite these measures, female representation in politics has still been quite disproportionate, especially when compared to their presence in the Brazilian electorate. According to the TSE, "in 2024, women's right to vote will have been 92 years old. Women account for 53% of the national electorate. They are the voters who turn out the most. In the 2022 General Elections, the female voter turnout rate reached 80%, while that of men was 78%". The difference is even more significant when considering the proportion of women and men who worked as poll workers in the last elections: 68% of the workers were women.

In this way, the gap in representation in elected positions runs counter to the participation of the female population in electoral processes.

Resistance to women's presence in politics is a persistent problem with historical roots, and is a direct result of a sexist social organization and its limiting view of women's role in society. Power structures often reproduce and reinforce gender stereotypes, associating leadership and firmness with men, while women are relegated to positions of submission and passivity, characteristics incompatible with the arena of political debates and decision-making. This entire construction reaffirms the idea of the political space as a hostile and inadequate environment for women, continuing a systematic exclusion that for decades has confined them to the margins of the public sphere, thus generating isolation and disinterest. The lack of female representation perpetuates a cycle of exclusion, as the absence of their representatives in positions of power makes it difficult to perceive that politics is an accessible and relevant sphere for all women.

Although we have seen significant advances in legislation that seeks to guarantee gender equality in politics, it is necessary to recognize that regulation alone is not enough to transform something so structural and deep-rooted. Female representation in elected and leadership positions is still scarce, which clearly proves that, although laws are necessary and an indispensable part of this process, their enactment is not enough to overcome the patriarchal logic that sustains this system of exclusion and silencing.

4 ment. A collective effort is needed to dismantle the barriers, from the most subtle and invisible to those manifested through explicit violence, that directly impede women's full and active participation in political life. Therefore, awareness-raising work is essential so that, in addition to laws, there is an understanding on the part of the population and public agents that a democratic space is also built through representation. We will only be able to envision a truly fair and egalitarian future with the elimination of the historical limitations that prevent the female voice from being heard in all spheres of society.

2.2 Response of the Superior Electoral Court (TSE) to Fraud in the Gender Quota

Although electoral legislation has provided for the need for gender balance in candidacies for political office since 1996, it was only in 2019 that this rule became mandatory at various legislative levels. This milestone, although positive in essence, ended up encouraging the harmful practice of fraud in the gender quota, leading candidates and parties to devise various schemes to circumvent the regulations and make it difficult to identify the fraud. Faced with this problem, the Superior Electoral Court (TSE) intensified its action, establishing objective criteria for characterizing fraud, especially with regard to fake candidacies.

Thus, the TSE's Jurisprudence, which was consolidated mainly from the judgment of the leading case related to this matter - REspEI 193-92/PI, Rel. Min. Jorge Mussi, established the understanding that the characterization of fraud in the gender quota, with the consequent application of legal sanctions, requires the cumulative presence of three objective criteria: the candidate's obtaining insignificant or null votes; the submission of campaign accounts with identical values and the effective absence of campaign activities for one's own benefit or even campaigning for other candidates, which evidences the absence of a real intention to contest the election. These elements are sufficient to demonstrate the intention to circumvent the rule that establishes the gender quota, resulting in an extremely serious penalty: the revocation of the diploma of all elected candidacies and all elected candidates, the invalidation of the list of candidates of the party or federation that used it and the annulment of nominal and party votes, and the penalty of Ineligibility for all those who competed in a fraudulent manner for the act.

It was also consolidated two valid actions as the means to investigate the illicit, according to Gomes (2024) "However, it was understood that the recognition of gender fraud can occur in the context of an action to challenge an elective mandate (AIME), because the "concept of fraud, for the purposes of the admissibility of the action to challenge an elective mandate (art. 14, § 10, of the Federal Constitution) is open and can encompass all situations in which the normality of the elections and the legitimacy of the elective mandate are affected by fraudulent actions, including in cases of fraud against the law. [...]" (TSE - REspe no. 149/PI - DJe 21-10-2015, p. 25-26). The electoral judicial investigation action (AIJE) is also admitted, as revealed by the following judgments: STF - ADI 6,338/DF - Plenary - Rel. Min. Rosa Weber - j. 3-4-2023 (a contra sensu); TSE - AREspe no. 0601196-36/RJ - j. 16-2-2023; TSE - REspe no. 19392/PI - DJe 4-10-2019; TSE - REspe no. 24,342/PI - DJe, t. 196, 11-10-2016, p. 65-66."

In this context, it is important to highlight the TSE's decision, issued on December 5, 2023, in QO-REspe No. 060000183. In this decision, the Court, showing attention to the problem of fraud in the gender quota, established the understanding that the finding of fraud in more than 50% of the valid votes in proportional elections justifies the application of § 3 of article 224 of the Electoral Code. In other words, if the Electoral Court identifies the nullity of more than half of the votes due to fraud in the gender quota in proportional elections, the same rule provided for in majoritarian elections must be applied, culminating in the full renewal of the seats in dispute. It is worth noting that, in majoritarian elections, article 224 of the Electoral Code already provides for the holding of new elections when the registration is denied, the diploma is revoked or the mandate of an elected candidate is lost, after the final decision, regardless of the number of nullified votes. The extension of this rule, applicable to majoritarian elections, to proportional elections demonstrates the commitment of the Electoral Court to curb electoral fraud in all its forms and guarantee the legitimacy of elections. In 2023 alone, the Court ruled on 216 cases on the subject. The actions mainly included the act of fraud through the registration of fictitious female candidates, with the aim of deceptively filling the quota. Last year, in in-person sessions alone, the Court identified and recognized at least 60 occurrences of fraud in the gender quota in the 2020 Municipal Elections in disputes for the position of councilor. The Superior Electoral Court (TSE) has played an essential role in promoting

of female participation. Through resolutions that ensure the fair and equitable allocation of resources for women's campaigns, the TSE solidifies the presence of women in Brazilian politics. TSE Resolution No. 23.607/2019 reinforces that at least 30% of the Special Campaign Financing Fund (FEFC) must be allocated to female candidates, a determination confirmed by the Supreme Federal Court (STF). In addition, the resolution requires that these resources be used exclusively to promote women's political participation, ensuring that their voices are strong and have national reach.

In 2024, the TSE issued Resolution No. 23,735, of February 27, 2024, which deals with electoral crimes, and included fraud in the gender quota in its article 8 and other paragraphs.

Art. 8 Fraud that is harmful to the electoral process includes acts that may deceive, confuse or mislead the electorate or adulterate voting processes, as well as simulations and artifices used for the purpose of conferring undue advantage on a political party, federation, coalition, candidacy or candidate and that may compromise the normality of elections and the legitimacy of elective mandates.

§ 1º The practice of acts with an appearance of legality, but intended to frustrate the objectives of mandatory electoral rules, constitutes fraud against the law, for electoral purposes.

§ 2º Obtaining zero or insignificant votes for candidates, the provision of accounts with simultaneous financial delivery and the absence of effective campaign acts for one's own benefit are sufficient to demonstrate the purpose of stealing compliance with the rule that establishes the gender quota, a conclusion not ruled out by the unproven claim of tacit withdrawal from the competition.

§ 3º Fraud of the gender quota is constituted by the negligence of the political party or federation in the presentation and request for registration of female candidates, revealed by factors such as the legal unfeasibility of the candidacy patent, the inertia in resolving documentary issues, the disclosure and the lack of replacement of a rejected candidacy.

§ 4º To characterize fraud of the gender quota, the final distortion is sufficient, without the need to demonstrate the subjective element (*consilium fraudis*), consisting of the intention to defraud the law.

§ 5 Fraud of the gender quota will result in the revocation of the diploma of all elected candidates and all elected candidates, the invalidation of the list of candidates of the party or federation that used it and the cancellation of nominal and party votes, with the following:

consequences provisions in the caput of art. 224 of the Electoral Code.

And, last but not least, the TSE, after a long period without publishing new summaries, published TSE Summary No. 73, which detailed and better clarified the systematic fraud in the gender quota, stating:

“Fraud of the gender quota, consisting of failure to comply with the minimum percentage of 30% (thirty percent) of female candidates, pursuant to art. 10, § 3, of Law No. 9,504/97, is configured by the presence of one or some of the following elements, when the facts and circumstances of the specific case allow us to conclude: (1) zero or insignificant voting; (2) zero or standardized financial reporting or absence of relevant financial movement; and (3) absence of effective campaign acts, publicity or promotion of the candidacy of third parties. Recognition of the offense will result in: (a) the cancellation of the Demonstrative of Regularity of Party Acts (DRAP) of the party and the diplomas of the candidates linked to it, regardless of proof of participation, knowledge or consent on their part; (b) the ineligibility of those who practiced or consented to the conduct, in the cases of Electoral Judicial Investigation Action (AIJE); (c) the nullity of the votes obtained by the party, with the recount of the electoral and party quotients (art. 222 of the Electoral Code), including for the purposes of application of art. 224 of the Electoral Code.” (BRAZIL, 2024).

Although these figures represent progress in relation to previous legislatures, they still highlight the difficulty of including women in politics, so that tools that ensure this presence become necessary so that men and women can compete on an equal footing in the electoral contest. Thus, through the resolutions presented here, we can observe the growing commitment of the TSE to the issue of gender equality, seeking to use institutional tools that increasingly enable female candidacies and allow for greater representation and a political space based on equality.

2.3 Gender Nuances Before the Superior Electoral Court

The concept of gender identity is related to the way in which each individual understands and expresses themselves in relation to the gender to which they belong, which may or may not be in accordance with their biological sex. assigned at birth. While biological sex refers to biological and anatomical characteristics, gender is a social construct that encompasses behaviors, function, image, and expectations attributed to being male or female. Thus, sex and gender are distinct concepts, although often interrelated. Transgender people, or simply trans, are those whose gender identity does not correspond to the biological sex assigned at birth. As Spizzirri's research (2021) points out, this group represents about 2% of the Brazilian population and faces an intense process of marginalization, becoming a vulnerable group with high rates of violence and mortality.

Trans women are those who, despite having been assigned male at birth,

identify and live as women. Gender identity is a deeply personal and innate experience that goes beyond biological characteristics. Therefore, recognizing trans women as people of the female gender is essential not only to give legitimacy to this population but also to guarantee the respect and dignity that is the right of every citizen, thus combating the discrimination and systematic violence to which they have been subjected.

In the context of affirmative action policies, gender identity becomes fundamental to ensuring that all people, regardless of how they identify, have equal opportunities for political participation. This means that when defining quotas for female candidates, the criterion should be gender and not biological sex. In this way, trans women can also benefit from measures that seek to ensure greater female representation in positions of power. Such an approach is essential to promote greater inclusion and strengthen diversity in politics.

The Superior Electoral Court (TSE), the main authority on electoral matters in Brazil, recognizes the importance of including gender identity in politics and has positioned itself in favor of this cause. In 2018, the TSE ruled that the expression “each sex”, present in the electoral law, should be interpreted as “each gender”, allowing transgender people to run for office according to their gender identity:

“[...] Female and male quotas. Accounting. Percentages. Art. 10, § 3, of Law No. 9,504/97. [...] Proportional and majority candidacies. [...] 1. The expression 'each sex' mentioned in art. 10, § 3, of Law No. 9,504/97 refers to gender, and not to biological sex, so that both men and transgender and transvestite women can be counted in the respective quotas of male or female candidacies. To this end, they must appear as such in the voter registration requests, under the terms established by art. 91, caput, of the Election Law, given that verification of gender for the purpose of registering a candidacy must meet the requirements set forth in Res.-TSE No. 21,538/2003 and other governing rules. [...]” (BRAZIL, 2018).

The recognition of gender identity by the TSE is of utmost importance for the inclusion and political representation of transgender people. This recognition not only validates the experiences and identities of these people, but also paves the way for a more diverse and inclusive politics. Although the presence of trans men and women in politics is still limited, reflecting the social and institutional barriers they have faced throughout history, the inclusive interpretation of electoral law is a fundamental step towards overcoming this scenario. Just like female representation, the presence of trans people in spaces of power contributes to the construction of a more representative democracy where all voices can be heard.

3. FINAL CONSIDERATIONS

In this study, we seek to analyze the multiple aspects involving the female presence in politics and the persistence of a reality of underrepresentation of women that persists to this day. From a historical perspective, it is possible to observe how the issues that permeate this process are part of a broader social structure, profoundly shaped by a society built and controlled by men. This patriarchal structure has not only shaped political dynamics, but has also influenced the economic, social and cultural spheres, perpetuating the exclusion of women from spaces of power and decision-making. The presence of women in positions of power and in decision-making has always been met with distrust, being perceived as a threat to the established social order and traditionally defined gender roles. This distrust has manifested itself in various ways, from the denial of basic rights to the implementation of policies and practices that limit women's participation in politics.

This scenario of underrepresentation highlights a striking disproportionality between society and political representation, in addition to an evident gender inequality in these spaces. Given this reality, it is essential to create and implement policies that aim to reduce this gap, promoting the inclusion and effective participation of women in political debates and processes, making them fairer and more representative.

After 92 years of women's suffrage, the reality of women in politics is still permeated by challenges, barriers and resistance. Although women currently represent 51.1% of the Brazilian population, corresponding to almost 105 million people, their presence in positions of power is significantly lower than that of men. In the National Congress, only 17.7% of seats are occupied by female deputies and senators, 12% of city halls are administered by women and, among the 27 Brazilian federative units,

only two are governed by women. This scenario of underrepresentation highlights a striking disproportionality between society and political representation, in addition to an evident gender inequality in these spaces. Given this reality, it is essential to create and implement policies that aim to reduce this gap, promoting the inclusion and effective participation of women in political debates and processes, making them fairer and more representative.

In addition to the scarce presence of women in politics, the few who do manage to enter this space are often exposed to political gender-based violence, being victims of persecution, threats and various forms of intimidation, which prevents them from fully exercising their public functions. According to the most recent data from the Federal Public Prosecutor's Office (MPF), since 2021 – when the law that considers political gender-based violence a crime came into effect – 215 cases have been registered throughout the country, which corresponds to an average of six cases per month. These numbers reveal not only the persistence of sexist and discriminatory attitudes, but also the urgent need for actions that protect and guarantee the integrity and safety of women who dedicate themselves to public life.

Based on the legislation analyzed throughout this paper, we can see the growing commitment of the Superior Electoral Court (TSE) to gender issues and the promotion of female representation in politics. Recognizing the explicit and persistent inequality between men and women in positions of power, as well as the historical difficulty of women in occupying these positions, the TSE has dedicated itself to implementing measures that seek to promote greater parity between genders in the political sphere. These actions aim to guarantee and encourage female candidacies, in addition to protecting the integrity of politically exposed women. From the gender quotas established in 1996 to the most recent laws on the reservation of resources and combating political gender-based violence, these initiatives are of great importance and represent an institutional concern for a more equal and safe political environment for women. In addition, this movement also highlights an extremely relevant agenda for the exercise of democracy, often invisible or simply neglected.

It is also important to highlight the TSE's initiatives to combat fraud related to gender quotas, using legal instruments to apply sanctions to parties and candidates who are identified as responsible for such practices. This effort has been essential to curb the regrettably numerous attempts to circumvent the new measures established in the Electoral Code. Although the numbers still remain small, the presence of women in politics has increased since the implementation of recent legislation. In 2022, there was a record number of female candidates, representing 33.3% of all candidates at the federal, state and district levels. A small percentage was also observed in the Federal Senate, with only 17.28% of the seats in the Senate.

Although the numbers are still low and disproportionate, this growth reflects the positive effects of institutional measures aimed at combating gender inequality.

However, it is necessary to recognize that, although legal measures are extremely necessary and have demonstrated positive impacts on the presence of women in politics, they alone are not enough to address a historically established structure. The exclusion of women from politics is a structural problem, rooted in sexist views that have persisted over decades and perpetuate reduced conceptions about the social role of women, positioning them as unsuitable for the political game, which is seen as compatible exclusively with characteristics considered masculine. Therefore, it is crucial to understand that combating gender inequality in politics also requires fighting gender inequality in society as a whole, by deconstructing prejudices about women and their capabilities.

The deconstruction and mitigation of gender patterns is an ongoing process that keeps the gender perspective and its nuances in the spotlight in society. Promoting open and plural debates in different spaces is crucial. Recognizing the importance of women's issues and ensuring women's presence in positions of power strengthens democracy, representing the diversity of the population. Valuing and understanding uniqueness of women and their experiences enriches the democratic debate, contributing to a more multifaceted vision of society. This approach contrasts with the one-dimensional and prejudice-laden view that distorts reality, promoting a more complete and inclusive understanding.

Given this scenario, it is possible to see that the TSE has adopted a stance committed to reducing inequality between men and women in politics, placing the gender issue at the center of the debate and recognizing the historical problem of female underrepresentation. Although the problem persists in a striking and intense way, representing a significant challenge in Brazilian politics, the new laws are extremely important measures by using legal instruments to correct a historical exclusion that does not match the composition of the Brazilian population and electorate. However, it is essential to recognize that



Many additional actions will be needed, not only through legal measures, but also cultural and educational measures, to promote broader and more effective change. Thus, the initiatives of the Superior Electoral Court represent an important starting point for a collective effort that leads Brazilian democracy to a stage of greater parity, justice and representation.

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